

Remarks

Introduction

Claims 1-33 were pending in this application.

The declaration was objected to for not identifying the mailing address of each inventor.

Claims 1-3, 16-19, and 32-33 were rejected under 35 U.S.C. § 102(b) as being anticipated by Ohno et al. U.S. Publication No. 2001/0028782 (hereinafter "Ohno").

Claims 4-15, and 20-31 were rejected under 35 U.S.C. § 103(a) as being unpatentable over various combinations of Ohno, Ismail et al. U.S. Publication No. 2003/0118323 (hereinafter "Ismail"), and Fletcher et al. U.S. Patent No. 5,012,409 (hereinafter "Fletcher").

Applicant's Response

37 C.F.R. § 1.63(c)(1) states that "unless such information is supplied on an application data sheet in accordance with § 1.76, the oath or declaration must also identify the mailing address, and the residence if an inventor lives at a location which is different from where the inventor customarily receives mail, of each inventor." Applicant

respectfully submits that the application data sheet filed with this application identifies the mailing address of each inventor. Thus, the declaration at issue need not identify this information. Therefore, applicant respectfully requests that the Examiner's objection to the declaration be withdrawn.

Claims 1-33 have been canceled without prejudice, and applicant has added new claims 34-66. Applicant respectfully submits that new claims 34-66 do not add any new matter and are fully supported by the specification as filed (see, for example, paragraphs 78-83, 105, 114 and FIG. 15 of applicant's specification). Applicant reserves the right to pursue the cancelled claims in one or more continuing applications.

The Examiner's rejections are respectfully traversed in light of new claims 34-66.

Applicant's new independent claims 34, 43, and 55 are directed towards a video recorder, a method, and computer readable storage media for scheduling the storage of shows on a storage device. A plurality of shows are received on at least one television tuner that is in a network of tuners. A list of shows that are scheduled for storage on the storage device is maintained and a determination is made as to whether there is a tuner conflict based on the maintained list of shows.

Moreover, a determination regarding the availability of at least one other tuner in the network of tuners is made. A plurality of solutions to the tuner conflict is then generated, where each solution corresponds to a storage schedule that includes a subset of the shows in the maintained list. The storage of the shows is initiated according to the storage schedule corresponding to one of the plurality of solutions using the at least one other tuner in the network of tuners.

For example, the video recorder may maintain a list of shows that create a tuner conflict with a target show that the user wishes to record (see paragraphs 78-83 and FIG. 15 of applicant's specification). Several subset lists of the maintained list of shows may be generated. Each subset list is a "candidate solution" for a recording schedule that solves the tuner conflict (*Id.* paragraph 82). If any tuner is not available, the video recorder may attempt to use the tuner of another set top box on the network (*Id.* paragraph 114).

Applicant submits that the references relied upon in rejecting previously pending claims 1-33, whether taken alone or in combination, fail to show or suggest each element of applicant's claims. In particular, neither Ohno, Ismail, nor Fletcher teaches or suggests generating a plurality of

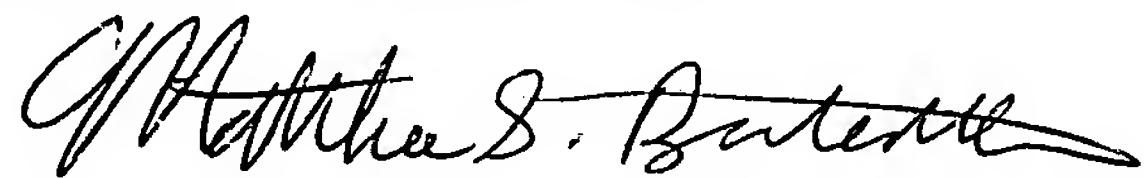
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solutions to a tuner conflict, where each solution corresponds to a storage schedule that includes a subset of the shows in the mentioned list, and storing shows according to one such schedule using a tuner which is on a network of tuners. Accordingly, applicant respectfully submits that independent claims 34, 43, and 55 are patentable over the references of record, and thus are allowable.

Claims 35-42, 44-54, and 56-66 are dependent from claims 34, 43, and 55, and are allowable at least because claims 34, 43, and 55 are allowable.

For at least the foregoing reasons, applicant respectfully submits that this application is in condition for allowance. Accordingly, prompt reconsideration and allowance of this application are respectfully requested.

Respectfully submitted,



Matthew S. Bertenthal
Reg. No. 61,129
Agent for Applicant
ROPES & GRAY LLP
Customer No. 75563
1211 Avenue of the Americas
New York, New York 10036-8704
Tel.: (212) 596-9000
Fax: (212) 596-9090